6876216/2023/VIG-CCT

Secretary to C.C.S.T. (PESHI)
03 JAN 2023
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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department – Sri P.Jayasankar, Deputy Commissioner(ST) Visakhapatnam-II Division – Allegations of Corruption harassment, indiscipline and abuse of official power – Preliminary enquiry conducted - Allegation prima facie proved – Disciplinary Proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Article of Charges - Issued.

REVENUE(CT-II) DEPARTMENT

G.O.Rt.No.02 Dated:02.01.2023.

Read the following:-

G.O.Ms.No.02 Revenue(CT.II) Dept., dated 02.01.2023.

* * * * *

O R D E R:

In continuation to the G.O. read above, it is proposed to hold an enquiry against Sri P.Jayasankar, Deputy Commissioner(ST),Visakhapatnam-II Division in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputations of misconduct or misconduct or misbehavior in respect of which the inquiry is proposed to be held, is setout in the enclosed statement of articles of charge (Annexure-I) and the imputations of misconduct or misbehavior in support of each article ofcharge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained,are also enclosed (Annexure-III & IV).

3. Sri P.Jayasankar, Deputy Commissioner(ST), Visakhapatnam-II Division is directed to submit within 10 days from the date of receipt of this order, a written statement of his defence...

4. Sri P.Jayasankar, Deputy Commissioner(ST), Visakhapatnam-II Division is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Jayasankar, Deputy Commissioner(ST), Visakhapatnam-II Division, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.

(PTO)

6. Attention of Sri P.Jayasankar, Deputy Commissioner (ST),Visakhapatnam-II Division is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri P.Jayasankar, Deputy Commissioner(ST), Visakhapatnam-II Division is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh CivilServices (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

N GULZAR
SECRETARY TO GOVERNMENT

To
Sri P.Jayasankar, Deputy Commissioner(ST), Visakhapatnam-II Division(w.e. Annexure-I to IV) **through** the Chief Commissioner of State Tax, A.P., Guntur (with a request to serve the order on the individual and send the served copy with dated signature to Government).
Copy to
The Chief Commissioner of State Tax, A.P., Guntur.
SF/SC.

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SECTION OFFICER

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P.Jayasankar
12/01/2023

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRIP.JAYASANKAR DEPUTY COMMISSIONER (ST),VISAKAPATNAM – II DIVISION (NOW UNDER SUSPENSION)

Charge:-I

That one M/s PSN Sastry, Advocate, (through e-mail letter Dated.02.12.2022) has filed a complaint that ,Sri P. Jayasankar, who wasworking as Deputy Commissioner(ST) (Under Suspension) has been committing the unlawful activities using his powers to threaten the dealers community as well as the departmental persons with the intention of thehuge illegal gratifications.

Charge-II

That, Sri P. Jayasankar, while working as Deputy Commissioner(ST) (now under suspension), has formed one team (Collection Wing) withSri P. Prasanth Kumar, GSTO, Sri B.M.M.Kishore, GSTO, Sri Prasanth Bushan, AEO, Sri Prasanna Kumar, GSTO in the O/o JC(ST), Visakhapatnam-II Division, only for collection work in an around Visakhapatnam-II Division,thus abusing his official powers.

Charge-III

That, the team formed by Sri P. Jayasankar, while working asDeputy Commissioner (ST) (now under suspension), recently collected formalities from the dealers regularly moving in and around Visakhapatnam and Anakapalli Districts and collecting huge bribes onbehalf of the JC(ST), Visakhapatnam-II Division and giving assurance to thedealers that, no further interceptions, audits and harassment will be madein this financial year. Additionally, the corruption team of DC(ST),arranging confrontation to the Trade Associations with JC(ST), after negotiations, they are getting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the Tax Payers in the name of new building construction for O/o the JC(ST),Visakhapatnam-II Division, likewise per year as:

1. Builders Association.... Rs.60,00,000/- (Two Districts)
2. Iron and Steel... Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways) .... Rs.15,00,000/- (Two Districts)
4. Alluminium & Brass, Iron Scrap Dealers Association... ... Rs.25,00,000/- (Two Districts)

Charge-IV

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST)(now under suspension), has harassed his staff as well as Circle Officers

(PTO)

intentionally; contacted the dealers through phone and settled the formalities from the Dealers.

Charge-V

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST)(now under suspension), unauthorizedly utilized the services of Sri P.Prasanth Kumar, GSTO, at the O/o the JC(ST), Visakhapatnam-II Division,while his actual working place is Anakapalli.

Charge-VI

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST), (now under suspension) have demanded and collected the formalities to a tune of Rs.50,000/- per every month, from the Circles.

Charge-VII

That, Sri P. Jayasankar, DC(ST) (now under suspension) and his team collected frailties from the transporters, charged accounts and thedepartment authorities in circles in the name of visit expenditure duringthe visits of Secretary to Government (CT) along with Chief Commissioner(ST), to the Visakhapatnam Division-I & II.

Thus, Sri P. Jayasankar, Deputy Commissioner (ST) (now under suspension), Visakhapatnam-II Division, by his above mentioned acts exhibited grave misconduct, lack of integrity, devotion to duty and conduct which is unbecoming of a Government servant and thus violated the provision laid down under rule 3 (1), (2) and (5) of A.P.C.S. (Conduct),Rules, 1964.

N GULZAR
SECRETARY TO GOVERNMENT

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P. Jayasankar
12/01/2023

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI P . JAYASANKAR, DEPUTY COMMISSIONER (ST), VISAKHAPATNAM-II DIVISION. (NOW UNDER SUSPENSION)

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It has been brought to the notice of the Govt., that one M/s PSN Sastry, Advocate, (through e-mail letter Dated.01.12.2022) has filed a compliant against Sri P. Jayasankar, while he was working as Deputy Commissioner(ST) (now under suspension), Visakhaptnam-II Division.

Facts of evidence of Charges:-

M/s PSN Sastry, Advocate complained that Sri P. Jayasankar, while working as Deputy Commissioner (ST), Visakhapatnam-II division, has committed unlawful activities since six months and during this short period, he has earned Crores of rupees using his powers to threaten the dealers community as well as the departmental persons with an intention to demand huge illegal gratification. Sri P. Jayasankar, has formed one team (collection wing) with P. Prasanth Kumar, GSTO, Sri B.M.M. Kishore, GSTO, Sri Prasanth Bhushan, A.E.O. and Sri P.Prasanna Kumar, GSTO, O/o the Joint Commissioner (ST), Visakhapatnam-II Division only for collection work in an around in Visakhapatnam-II Division and Anakapalli districts on behalf of the JC(ST), VSP-II Division and giving assurance to the dealers that, no further interceptions & audits in this financial year and no harassment will be made in this financial year. Additionally, the corruption team of DC(ST), arranging confrontation to the Trade Associations with JC(ST), after negotiations, they are getting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the Tax Payers in the name of new building construction of O/o the JC(ST), Visakhapatnam-II Division, likewise per year as:

1. Builders Association....	Rs.60,00,000/- (Two Districts)
2. Iron and Steel...	Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways)....	Rs.15,00,000/- (Two Districts)
4. Alluminium & Brass, Iron Scrap Dealers Association... ...	Rs.25,00,000/- (Two Districts)

Further, Sri P. Jayasankar, while working as Deputy Commissioner (ST) (now under suspension), unauthorizedly utilized the services of Sri P. Prasanth Kumar, GSTO, at the O/o the JC(ST), Visakhapatnam-II Division, but, his actual working place is Anakapalli.

(P T O)

The complainant also informed that, Sri P. Jayasankar, DC(ST) (now under suspension) and his team collected frailties from the transporters, charged accounts and the department authorities in circles in the name of visit expenditure while visiting by the Secretary to Government (CT) along with Chief Commissioner (ST), to the Visakhapatnam Division-I & II.

Charge:-I

That Sri P. Jayasankar, while working as Deputy Commissioner(ST) (Under Suspension) has committed unlawful activities using his powers to threaten the dealers community as well as the departmental persons with the intention of the huge illegal gratifications.

Charge-II

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST) (now under suspension), has formed one team (Collection Wing) with Sri P. Prasanth Kumar, GSTO, Sri B.M.M.Kishore, GSTO, Sri Prasanth Bushan, AEO, Sri Prasanna Kumar, GSTO in the O/o JC(ST), Visakhapatnam- II Division, only for collection work in an around Visakhapatnam-II Division.

Charge-III

That, recently this team collected formalities from the dealers regularly moving in an around of the Visakhapatnam and Anakapalli Districts and collecting huge bribes on behalf of the JC(ST), Visakhapatnam-II Division and giving assurance to the dealers that, no further interceptions & audits in this financial year and no harassment will be made in this financial year. Additionally, the corruption team of DC(ST), arranging confrontation to the Trade Associations with JC(ST), after negotiations, they are getting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the Tax Payers in the name of new building construction of O/o the JC(ST), Visakhapatnam-II Division, likewise per year as:

1. Builders Association.... Rs.60,00,000/- (Two Districts)
2. Iron and Steel... Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways)..... Rs.15,00,000/- (Two Districts)
4. Aluminum& Brass, Iron Scrap Dealers Association...
... Rs.25,00,000/- (Two Districts)

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Charge-IV

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST) (now under suspension), has harassed his staff as well as Circle Officers intentionally; contacted the dealers through phone and settled the formalities from the Dealers.

Charge-V

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST) (now under suspension), unauthorizedly utilized the services of Sri P. Prasanth Kumar, GSTO, at the O/o the JC(ST), Visakhapatnam-II Division, while his actual working place is Anakapalli.

Charge-VI

That, Sri P. Jayasankar, while working as Deputy Commissioner (ST), (now under suspension) have demanded and collected the formalities to tune of Rs.50,000/- per month from the Circles.

Thus, Sri P. Jayasankar, Deputy Commissioner (ST) (now under suspension), Visakhapatnam-II Division, by his above mentioned acts exhibited grave misconduct, lack of integrity, devotion to duty and conduct which is unbecoming of a Government servant and thus violated the provision laid down under rule 3 (1), (2) and (5) of A.P.C.S. (Conduct), Rules, 1964.

Hence, the charge.

N GULZAR
SECRETARY TO GOVERNMENT

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P. Jayasankar
12/01/2023

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI P.JAYASANKAR DEPUTY COMMISSIONER(ST),VISAKAPATNAM-II DIVISION.(NOW UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

-o0o-

1. Compliant received from the M/s PSN Sastry Advocate, D.No 58-22- 48, NAD Kotha Road Visakhapatnam through e-mail dated 02.12.2022

2. Preliminary report as submitted by Additional Commissioner(ST) O/o RO, Visakhapatnam Ref No 03/Confidential /RO, Visakhapatnam dt 06.12.2022.

N GULZAR
SECRETARY TO GOVERNMENT

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI P.JAYASANKAR DEPUTY COMMISSIONER(ST),VISAKAPATNAM-II DIVISION.(NOW UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

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(1) Sri S. Sekhar, Additional Commissioner (ST), O/o. R.O., Visakhapatnam.

(2) Sri P.S.N. Sastry, Advocate, D.No.58-22-48, Nad Kotha Road, Visakhapatnam.

N GULZAR
SECRETARY TO GOVERNMENT

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